



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

May 9, 2023

Via ECF

Honorable Kenneth M. Karas
United States District Judge
Southern District of New York
The Hon. Charles L. Bricant Jr.
Federal Building and United States Courthouse
300 Quarropas St.
White Plains, NY 10601-4150

**Re: *Daniel Libit v. United States Military Academy et al.*,
23 Civ. 00845 (KMK)**

Dear Judge Karas:

This Office represents the United States Military Academy (the “Academy” or the “Government”) in this action brought by Plaintiff Daniel Libit under the Freedom of Information Act (“FOIA”). I write respectfully on behalf of all the parties to request a two-week adjournment of the initial conference scheduled for May 11, 2023 and a corresponding extension of time to submit a proposed case management and discovery schedule. The reason for this request is that on May 4, 2023, the parties engaged in discussions about a potential resolution of this matter and the Defendants need additional time to determine their position. This is the parties’ first request for an adjournment of the initial conference.

I thank the Court for its consideration of this request.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: /s/ Elizabeth J. Kim
ELIZABETH J. KIM
Assistant United States Attorney
86 Chambers Street, 3rd Floor
New York, New York 10007
Tel.: (212) 637-2745
E-mail: Elizabeth.Kim@usdoj.gov

cc: David A. Schulz, Esq., *Plaintiff’s counsel* (via ECF)
Mikhail Shah, Esq., *Army West Point Athletic Association’s counsel* (via ECF)